

Kentucky Estate Tax Return  
KRS 140.130

FOR DEPARTMENT USE ONLY

\_\_\_\_ / 4 6 / \_\_\_\_  
Account Number Tax Year

**Requirements for use of this return**—This return is to be filed when: (1) the date of death is on or after July 1, 1998, and (2) *the entire estate passes to **exempt** beneficiaries under KRS 140.080 or to **exempt** organizations under KRS 140.060, and (3) Kentucky estate tax is due per KRS 140.130.*

Decedent's Name Last First Middle Initial			Date of Death	Return Status (check one): <input type="checkbox"/> Original Return <input type="checkbox"/> Amended Return—Refund <input type="checkbox"/> Amended Return—Tax Due	
Social Security Number			HR Code No.		
Residence (Domicile) at Time of Death					
Number and Street		City or Town	State	ZIP Code	County
Name and Address of Executor/Administrator/Beneficiary			Name and Address of Preparer		
<input type="checkbox"/> Exec <input type="checkbox"/> Admr <input type="checkbox"/> _____			<input type="checkbox"/> Atty <input type="checkbox"/> CPA <input type="checkbox"/> _____		
Did the decedent die testate? <input type="checkbox"/> No <input type="checkbox"/> Yes <i>If Yes, attach copy of will.</i>					
<b>Required attachments to this return:</b> (1) <i>A copy of the Federal Estate and Gift Tax Return.</i> (2) <i>A listing of all beneficiaries and their relationship to decedent.</i>					

COMPUTATION OF TAX

1. Total state death tax credit for federal estate tax purposes .....	\$
2. Federal taxable estate (page 1, line 3, Form 706, Federal Estate and Gift Tax Return)	\$
3. Kentucky's portion of line 2 (Kentucky assets for federal estate tax purposes less applicable deductions) .....	\$
4. Non-Kentucky portion of line 2 (non-Kentucky assets for federal estate tax purposes less applicable deductions) .....	\$
5. Percent that line 3 bears to line 2 .....	%
6. Kentucky's portion of the federal state death tax credit (line 1 multiplied by line 5) ..	\$
<b>Kentucky Estate Tax Due</b> .....	\$

Interest and Penalty

7. Interest for late payment (see instructions on reverse side) .....	\$
8. Late filing penalty (see instructions on reverse side) .....	\$
9. Late payment penalty (see instructions on reverse side) .....	\$
10. <b>Total Due</b> (line 6 plus lines 7, 8 and 9 (if applicable)) .....	\$
11. Total previously paid .....	\$
12. Balance due/Refund .....	\$



**Attach check payable to "Kentucky State Treasurer" to this return and mail to  
Kentucky Department of Revenue, Frankfort, KY 40620**

Under criminal penalties, I declare that this return, including accompanying documents, has been examined by me, and is, to the best of my knowledge and belief, true, correct and complete.

\_\_\_\_\_  
Signature of Executor/Administrator/Beneficiary

\_\_\_\_\_  
Date

( )

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Signature of Preparer

\_\_\_\_\_  
Date

( )

\_\_\_\_\_  
Telephone Number

## INSTRUCTIONS

This return is to be filed for estates (Kentucky resident or nonresident) when (1) the date of death is on or after July 1, 1998, (2) a Federal Estate and Gift Tax Return is required to be filed, and (3) the entire estate passes to beneficiaries listed in the following groups, either by contract (survivorship, payable on death, trust, etc.), the decedent's will or the intestate laws of this state:

- (1) Surviving spouse, parent
- (2) Child (adult or infant)  
child by blood, stepchild, child adopted during infancy, or child adopted during adulthood who was reared by the decedent during infancy
- (3) Grandchild  
issue of child by blood, stepchild, child adopted during infancy, or of a child adopted during adulthood who was reared by decedent during infancy
- (4) Brother, sister (whole or half)

► **Refer to KRS 140.080 for the above groups**

- (5) Exempt organizations—**Refer to KRS 140.060**

Exempt organizations include educational, religious or other institutions, societies, or associations, whose sole purpose is to carry on charitable, educational, or religious work. Also, cities, towns or public institutions in this state qualify as exempt organizations provided that any transfer to such an organization is for public purposes.

**KRS 140.130** levies an estate tax. If the Kentucky inheritance tax due is not equal to or greater than Kentucky's portion of the federal state death tax credit, the difference is due as an estate tax. If the date of death is on or after July 1, 1998, there is not any inheritance tax due for the above-named beneficiaries; therefore, if there is any federal state death tax credit, Kentucky's portion is due as an estate tax.

- ☞ If decedent died with a will, a copy must be submitted.
- ☞ If property passes under a trust agreement, please submit a copy.
- ☞ Lines 3 and 4 on the front should equal line 2.
- ☞ A copy of the Federal Estate and Gift Tax Return must be attached to this return.
- ☞ A listing of all beneficiaries and their relationship to the decedant must be attached to this return.
- ☞ Payment of any estate tax due must be attached to the face of the return. The check should be made payable to the "**Kentucky State Treasurer.**"

### Interest and Penalties

If the tax is not paid within 18 months following the decedent's date of death, interest shall be computed pursuant to KRS 131.010(6) from the expiration of the 18-month period until the tax is paid. **There is no provision in the statute to waive interest.** The interest rate for 1999 and 2000 is 8 percent; for 2001 is 10 percent; for 2002 is 6 percent; and for 2003 is 5 percent.

Penalties may also apply if the return is not filed within 18 months from the date of death. The most common penalties are for **late filing** and **late payment**. The **late filing** penalty is 2 percent of the total tax due for each 30 days or fraction thereof that a tax return or report is late. The maximum penalty is 20 percent of the total tax due. The minimum is \$10. The **late payment** penalty is 2 percent of the total tax due for each 30 days or fraction thereof that the payment is late. However, the late payment penalty is not applicable if at least 75 percent of the tax liability has been timely paid. The maximum penalty is 20 percent of the total tax due. The minimum is \$10. These penalties may be waived if "reasonable cause" exists as mentioned under KRS 131.180 and defined under KRS 131.010(9). The penalties accrue from the expiration of the stated 18-month period until paid. Additional penalties may apply pursuant to KRS 131.180. **Payment of the interest or penalties is to be made at the time the return is filed.**